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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,585	03/29/2004	John L. McNeely	0716-01001	3208
26659	7590	12/13/2005	EXAMINER	
RAGGIO & DINNIN, P.C. 2701 CAMBRIDGE COURT, STE. 410 AUBURN HILLS, MI 48326			ROSSI, JESSICA	
			ART UNIT	PAPER NUMBER

1733

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/812,585

Applicant(s)

MCNEELY ET AL.

Examiner

Jessica L. Rossi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on Prelim Amd, 1/28/05.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 11-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. Figures 1-3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. This Application claims priority to Application Serial No. 10/255,910, which has since issued as 6,736,181; therefore, Applicant should amend the first paragraph of the specification to reflect this change.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 15 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 15, it is unclear what Applicant means by "mild" pressure. How mild is mild? Applicant is asked to clarify.

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With respect to claim 23, it is unclear what Applicant means by “supporting the panel with a contoured surface.” Does the panel have a contoured surface or does the contoured surface belong to that which is supporting the panel? Applicant is asked to clarify. It is suggested to change this phrase to --using a contoured surface to support the panel--.

Also regarding claim 23, it is unclear what Applicant means by “mild” pressure. How mild is mild? Applicant is asked to clarify.

Also regarding claim 23, it is unclear what Applicant means by “low grade” heat. How low is low? Applicant is asked to clarify.

Also regarding claim 23, it recites the limitation "the perforations" in line 14. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 11-13, 15-16 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Jessup et al. (US 5938875).

With respect to claim 11, Jessup teaches a method of reticulating a film adhesive (not shown) onto a perforated panel 16 where the method steps comprise supporting the perforated panel, adhering the film adhesive to the perforated panel without initiating a cure of the film adhesive, applying a vacuum to the film adhesive, softening the film adhesive, moving the perforated panel at a predetermined speed through a reticulation unit, and removing the film

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adhesive from the perforations by an airflow (Figure 2; abstract; column 3, lines 23-27 and 36-39; column 4, lines 56-60; column 5, lines 14-20; **column 8, lines 29-44 and column 8, line 65 – column 9, line 2**).

Regarding claims 12-13, 15-16 and 22, the reference teaches such.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 11-13, 15-16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jessup in view of Bourlier et al. (US 6500516).

While claim 11 is not limited to the vacuum being used to adhere the film adhesive to the panel without initiating cure of the adhesive, the following rejection is set forth to expedite prosecution:

One reading Jessup as a whole would have appreciated that the reference is not concerned with a particular means for adhering/tacking the adhesive to the panel without initiating cure of the adhesive before reticulation of the adhesive takes place (column 8, lines 29-40); therefore, it would have been obvious to adhere/tack the adhesive to the panel without initiating cure of the adhesive by applying heat and vacuum to the film adhesive because it is known in the structural panel art to adhere an adhesive film to a panel without initiating a cure of the adhesive by applying heat and vacuum to the adhesive and then eventually bond the adhesive/panel pre-laminate to other layers, including a honeycomb layer, to form the finished panel, as taught by

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Bourlier (note adhesive film 4 and layer 5 later bonded to honeycomb 10; Figures 2-3; column 1, line 11; column 4, lines 47-54; column 5, line 62 – column 6, line 23; column 6, line 29 – column 7, line 3), where vacuum allows the application of uniform pressure and therefore better adhesion/tack between the adhesive film and panel.

9. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jessup, or alternatively, Jessup in view of Bourlier as applied to claim 13 above and further in view of Wilson (US 4155800).

Regarding claim 14, one reading Jessup as a whole would have appreciated that the reference is not concerned with a particular means for heating (column 8, lines 28-33) and selection of a particular means would have been within purview of the skilled artisan. However, it would have been obvious to use a radiant heat source because such is known in the art for heating an adhesive film to adhere the same to a perforated panel without initiating cure of the adhesive, as taught by Wilson (column 5, line 57 – column 6, line 11).

10. Claims 17-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jessup, or alternatively Jessup in view of Bourlier as applied to claim 11 above.

Regarding claims 17-18, such would have been obvious to prevent contamination of the adhesive and/or panel.

Regarding claim 20, such would have been obvious since it is well known and conventional to use shrouds in conjunction with heat source so as to concentrate the heat source and provide more effective/efficient heating.

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11. Claims 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jessup, or alternatively, Jessup in view of Bourlier as applied to claim 11 above, and further in view of Trnka (US 4990201) and/or Wilson.

Regarding claim 19, it would have been obvious to heat the airflow because it is known in the panel art to heat an adhesive film to adhere the same to a perforated panel without curing the film and then use a heated air flow to reticulate the film, as taught by Trnka (column 2, lines 1-28) and/or Wilson (column 8, lines 9-15).

Regarding claim 21, it would have been obvious to control the air flow because such is known in the art, as taught by Trnka (column 3, lines 35-36), and this prevents damage to the film.

12. Claims 11-20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson in view of Jessup.

With respect to claim 11, Wilson teaches a method of reticulating a film adhesive 10 onto a perforated panel 12 (note present claim language does not exclude the “perforated panel” being a honeycomb core) where the method steps comprise supporting the perforated panel, adhering the film adhesive to the perforated panel without initiating a cure of the film adhesive, softening the film adhesive, moving the perforated panel at a predetermined speed through a reticulation unit, and removing the film adhesive from the perforations by an airflow (Figure 8; abstract; column 2, lines 45-64; column 3, lines 13-32; column 4, lines 7-17 and 25-29; column 5, lines 35-37; column 5, line 57 – column 6, line 11; column 6, lines 38-45; column 8, lines 6-15).

The reference is silent as to applying a vacuum to the film adhesive. After reticulation of the adhesive film, Wilson places facing sheets on both sides of the honeycomb core and then

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heats the assembly to cure the adhesive and form the finished panel (column 7, lines 15-20). It would have been obvious to perform this heating/curing step in an autoclave where a vacuum bag applies vacuum to the assembly during the heating/curing to press the assembly and prevent air/bubbles from being trapped between the layers because such is known in the art, as taught by Jessup (column 8, line 28 – column 9, line 2).

Regarding claims 12-16, 19 and 22, Jessup or Jessup in view of Wilson teach these limitations.

Regarding claims 17-18, such would have been obvious to prevent contamination of the adhesive and/or panel.

Regarding claim 20, such would have been obvious since it is well known and conventional to use shrouds in conjunction with heat source so as to concentrate the heat source and provide more effective/efficient heating.

13. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson and Jessup as applied to claim 11 above, and further in view of Trnka.

Regarding claim 21, it would have been obvious to control the airflow because such is known in the art, as taught by Trnka (column 3, lines 35-36), and this prevents damage to the film.

14. Claims 11-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trnka in view of Jessup and Wilson.

With respect to claim 11, Trnka teaches a method of reticulating a film adhesive onto a perforated panel where the method steps comprise supporting the perforated panel, adhering the film adhesive to the perforated panel without initiating a cure of the film adhesive, softening the



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film adhesive, placing the perforated panel in a reticulation unit, and removing the film adhesive from the perforations by an airflow (abstract; column 1, lines 5-7; column 1, line 65 – column 2, line 32).

The reference is silent as to applying a vacuum to the film adhesive and moving the perforated panel at a predetermined speed through the reticulation unit.

After reticulation of the adhesive film, Trnka places another substrate on the reticulated adhesive film and then heats the assembly to cure the adhesive and form the finished panel (column 2, lines 28-32). It would have been obvious to perform this heating/curing step in an autoclave where a vacuum bag applies vacuum to the assembly during the heating/curing to press the assembly and prevent air/bubbles from being trapped between the layers because such is known in the art, as taught by Jessup (column 8, line 28 – column 9, line 2).

One reading Trnka as a whole would have appreciated that the reference is mainly concerned with applying the adhesive film to the perforated panel and performing reticulation thereof as opposed to applying the adhesive film to the honeycomb core and therefore is not concerned with a particular apparatus for carrying out the reticulation. Therefore, it would have been obvious to move the perforated panel through a reticulation unit at a predetermined speed because such is known in the art as taught by Jessup (column 8, lines 33-37) and/or Wilson (column 3, lines 22-23; column 6, lines 38-45).

Regarding claims 12-13, 15-16, 19 and 21-22, Trnka (note previously cited portions of reference and column 3, lines 35-36) or Trnka in view of Jessup and Wilson teach these limitations.

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Regarding claim 14, one reading Trnka as a whole would have appreciated that the reference is not concerned with a particular means for heating (column 2, lines 1-5) and selection of a particular means would have been within purview of the skilled artisan. However, it would have been obvious to use a radiant heat source because such is known in the art for heating an adhesive film to adhere the same to a perforated panel without initiating cure of the adhesive, as taught by Wilson (column 5, line 57 – column 6, line 11).

Regarding claims 17-18, such would have been obvious to prevent contamination of the adhesive and/or panel.

Regarding claim 20, such would have been obvious since it is well known and conventional to use shrouds in conjunction with heat source so as to concentrate the heat source and provide more effective/efficient heating.

15. Claims 11-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trnka in view of Bourlier and further in view of Jessup and Wilson.

While claim 11 is not limited to the vacuum being used to adhere the film adhesive to the panel without initiating cure of the adhesive, the following rejection is set forth to expedite prosecution:

One reading Trnka as a whole would have appreciated that the reference is not concerned with a particular means for adhering/tacking the adhesive to the panel without initiating cure of the adhesive before reticulation of the adhesive takes place (column 2, lines 1-9); therefore, it would have been obvious to adhere/tack the adhesive to the panel without initiating cure of the adhesive by applying heat and vacuum to the film adhesive because it is known in the structural panel art to adhere an adhesive film to a panel without initiating a cure of the adhesive by

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applying heat and vacuum to the adhesive and then eventually bond the adhesive/panel pre-laminate to another substrate to form the finished panel, as taught by Bourlier (note adhesive film 4 and layer 5 later bonded to honeycomb 10; Figures 2-3; column 1, line 11; column 4, lines 47-54; column 5, line 62 – column 6, line 23; column 6, line 29 – column 7, line 3), where vacuum allows the application of uniform pressure and therefore better adhesion/tack between the adhesive film and panel.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jessica L. Rossi** whose telephone number is **571-272-1223**. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard D. Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**JESSICA ROSSI**  
**PRIMARY EXAMINER**

